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BILL

[AS AMENDED IN COMMITTEE]

TO

Amend the Laws relating to Attorneys and Solicitors in Ireland.

WHEREAS it is expedient to amend the Laws relating to Attorneys and Solicitors in Ireland in manner herein-after mentioned: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. In the Construction of this Act, unless there be something in the Subject or Context repugnant to such Construction, the Word "Attorney" shall mean Attorney of One or more of the Superior Courts of Law at Dublin, and the Word "Solicitor" shall mean Solicitor of the High Court of Chancery in Ireland. Interpretation of Terms.

2. Any Person having taken the Degree of Bachelor of Arts or Bachelor of Laws in the University of Oxford, Cambridge, Dublin, Durham, or London, or in the Queen's University in Ireland, or the Degree of Bachelor of Arts, Master of Arts, Bachelor of Laws, or Doctor of Laws in any of the Universities of Scotland, none of such Degrees being honorary Degrees, and who at any Time after having taken such Degree, and either before or after the passing of this Act, has been bound by and has duly served under Indentures of Apprenticeship Persons having taken Degrees at certain Universities may be admitted after Three Years Service. 23 & 24 Vict. c. 127. s. 2.

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ticesbip to a practising Attorney or Solicitor for the Term of Three Years, and has been examined and sworn in manner directed by the Rules now in force or bereafter to be made by the Benchers of tbe Society of the King's Inns in Dublin, and in accordance with the Practice of tbe Court of Cbancery or Superior Courts of Law in Ireland, may be admitted and enrolled as an Attorney or Solicitor, and where any Person has before the passing of this Act, and at any Time after baving taken such Degree, been bound as aforesaid for any Period exceeding Three Years, he may, after baving duly served Three Years of sucb Term, in sucb Manner as would have been required if he bad been bound for Three Years only, and having been examined and sworn as aforesaid, and with the Consent in Writing (endorsed on his Indentures of Apprenticeship) of tbe Attorney or Solicitor to wbom be may be bound to tbe immediate Determination of bis Indentures of Apprenticesbip, be admitted and enrolled as an Attorney or Solicitor, and where such Consent is given as aforesaid, and acted upon, under this Provision, by tbe Person hereby made eligible to be admitted and enrolled as aforesaid, the Indentures of Apprenticesbip shall be deemed to bave determined as if they had determined by Effluxion of Time.

Persons having been at the Bar may be admitted after Three Years Service. 23 & 24 Vict. c. 127. s. 3.

3. Every Person wbo, eitber before or after tbe passing of this Act, bas been called to tbe Degree of Utter Barrister in Ireland, and after ceasing to be a Barrister bas been bound by Indenture to serve as an Apprentice for any Term exceeding Three Years to a practising Attorney or Solicitor, and has in eitber of tbe said Cases continued in sucb Service for tbe Term of Tbree Years, and during tbe wbole of sucb Tbree Years served in sucb Manner as is berein-before required in tbe Case of Persons who have taken Degrees in tbe said Universities, and been examined and sworn as aforesaid, after tbe Expiration of sucb Term of Tbree Years, may be admitted and enrolled as an Attorney and Solicitor. Provided always, tbat in tbe Case of any such Person as aforesaid wbo has been bound for a Period exceeding Three Years it sball be necessary for such Term to be determined with Consent, as berein-before provided in tbe Case of Persons having taken Degrees who may bave been bound for a Period exceeding Tbree Years before the passing of tbis Act.

Persons having been bonâ fide Clerks to Attorneys or Solicitors for Ten Years may be admitted after Three Years Service. 23 & 24 Vict. c. 127. s. 4.

4. Any Person wbo, eitber before or after the passing of this Act, shall for tbe Term of Ten Years have been a bonâ fide Clerk to an Attorney or Solicitor, or Attornies or Solicitors, and during that Term shall bave been bonâ fide engaged in the Transaction and Performance, under the Direction and Superintendence of such Attorney or Solicitor, or Attorneys or Solicitors, of such Matters of Business as are usually transacted and performed by Attorneys and Solicitors, and who sball produce to the Examiners satisfactory Evidence

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dence that he has faithfully, honestly, and diligently served as such Clerk, and who, after the Expiration of the said Term of Ten Years, and after having been examined as may have been or may be required for the Time being of Persons seeking to become Apprentices to Attornies or Solicitors, has been bound by and has duly served under Indentures of Apprenticeship to a practising Attorney or Solicitor for the Term of Three Years, and has been examined and sworn in manner mentioned in Clause Two, may be admitted and enrolled as an Attorney and Solicitor; and where any such Person has, before the passing of this Act, been bound for any Period exceeding Three Years, he may, after having duly served Three Years of such Term, in such Manner as would have been required if he had been bound for Three Years only, and having been examined and sworn as mentioned in Section Two, and with the Consent in Writing (endorsed on his Indentures of Apprenticeship) of the Attorney or Solicitor to whom he may be bound to the immediate Determination of his Indentures of Apprenticeship, be admitted and enrolled as an Attorney and Solicitor; and where such Consent is given as aforesaid, and acted upon, under this Provision, by the Person hereby made eligible to be admitted and enrolled as aforesaid, the Indentures of Apprenticeship shall be deemed to have determined as if they had determined by Effluxion of Time.

Certain Apprentices not required to keep Terms.

5. No Apprentice within the Third Section and no Apprentice within the Fourth Section who shall have served Two Years or upwards of the said Term of Ten Years in the Dublin Office of an Attorney or Solicitor or Firm of Attornies or Solicitors shall be required to attend Lectures or keep Terms in Dublin during his Apprenticeship.

When the Three or Five Years expire in any Vacation, Examination may take place in Term preceding such Vacation. 23 & 24 Vict. c. 127. s. 12.

6. Whenever any of the Periods of Three Years and Five Years mentioned in this Act (whether the same Period shall have commenced before or after the passing of this Act) shall expire in any Vacation, then and in such Case any Person whose Period of Apprenticeship shall so expire shall be at liberty to pass his Examination in the Term immediately preceding the said Vacation, and at any Time in or after such Vacation; and after the said Period of Apprenticeship shall have expired, the Lord Chancellor of Ireland, as to the Court of Chancery, and any One of the Judges as to the Courts of Common Law at Dublin, on being satisfied by Affidavit or otherwise that the Period of Apprenticeship of such Person has expired, may proceed to administer to him the Oath or Oaths usually taken in Ireland by Apprentices before being admitted, and may do and direct all other Acts necessary for or towards the Admission and Enrolment of such Person as an Attorney and Solicitor, as provided by any Act or lawful Regulation in that Behalf.

23 & 24 Vict. c. 127. s. 35.

7. This Act shall only extend to Ireland, save as herein otherwise expressly provided.

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Attorneys and Solicitors (Ireland).

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BILL

[AS AMENDED IN COMMITTEE]

To amend the Laws relating to Attorneys and Solicitors in Ireland.

(Prepared and brought in by Sir Hugh Cairns and Mr. Longfield.)

Ordered, by The House of Commons, *to be Printed,* 26 *June* 1861.

[Bill 207.]

Under 1 *oz.*

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